

Developmental Delay

Developmental Delay Definition (34 CFR §§ 303.203(c), 303.10 and 303.111)

State definition of developmental delay.

Alabama's rigorous definition of *developmental delay*, consistent with §§303.10 and 303.203(c), that will be used by Alabama in carrying out programs under part C of the Act in order to appropriately identify infants and toddlers with disabilities who are in need of services under part C of the Act.

The state of Alabama has adopted the following definition of developmental delay:

Infant or toddler with a disability means an individual under three years of age who needs early intervention services because the individual—

(1) Is experiencing a developmental delay equal to or greater than 25%, as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas:

- (i) Cognitive development.
- (ii) Physical development, including vision and hearing.
- (iii) Communication development.
- (iv) Social or emotional development.
- (v) Adaptive development; or

(2) Has a diagnosed physical or mental condition that—

- (i) Has a high probability of resulting in developmental delay; and
- (ii) Includes conditions such as chromosomal abnormalities; genetic or congenital disorders; sensory impairments; inborn errors of metabolism; disorders reflecting disturbance of the development of the nervous system; congenital infections; severe attachment disorders; and disorders secondary to exposure to toxic substances, including fetal alcohol syndrome.

Other children “at risk” for developmental delay are not included in this definition.

The state of Alabama has developed procedures to determine eligibility which are described under the Evaluation & Assessment section.